

REMARKS

Reconsideration of the application is requested in light of the above amendments and the following discussion.

The claims are now independent claim 1 with its dependent claims 2-14 and independent claim 20 (a rewriting of canceled claim 15) and its dependent claims 16-19 and 21.

In the action, claims 1-14 were indicated to have allowable subject matter but subject to objection and a rejection under 35 USC § 112, all believed clearly obviated by the present amendments that also include other clarifications. Claim 3 is amended for further clarity as to combinations such as that of Fig. 6.

The rejection of claims 15-19 is traversed and is discussed below with respect to claims 16-21.

Request for Examiner's amendments in the specification

Please make the following corrections of incidental editorial and typographical errors:

Page 3, line 29, after "with" insert -- a --.

Page 9, line 8, change "42b" to -- 42a --.

Page 10, line 16, after "alternative" insert --  
150' --.

Page 11, line 4, change "116" to -- 216 --.

The objection to the drawings

Rather than encumber the file with any additional drawing, applicant elects not to have claims referring specifically to an unillustrated embodiment. Thus, claim 8 has been amended, and new claim 20 has been written, to be generic.

Rejection of claims under 35 U.S.C. 102(b)

Former claim 15 was apparently misunderstood so applicant has redrafted it as new claim 20 for clarification to avoid any possible misunderstanding that the "fulcrum mechanism" is like anything in Levi.

It is believed now clear that the claim should be allowed at least because the prior art does not teach or suggest a switch with a combination including a fulcrum mechanism of elements, in addition to the switch contacts, located proximate to and behind the contacts in relation to the path of relative motion of the contacts during opening. Such elements, for example 40 and 42 of Figs. 3-5, 140 and 142 of Fig. 7, 140' and 142' of Fig. 8, and 240 and 242 of Figs. 9-10, in the illustrated embodiments, are arranged to help overcome the effects of the contacts' sliding friction for easier opening (less required force).

In contrast, however much the Levi reference discloses beneficial improvements in contact configuration and in bearing construction, Levi completely fails to suggest any such elements of a fulcrum mechanism. A misunderstanding in the Examiner's analysis of former claim 15 seems to be that it was construed (or misconstrued) to read on a structure in which part of the contacts acts as a fulcrum for another part of the same contacts. This is not the case and now claim 20 makes clearer the invention is distinct. Furthermore, drawing any such inference from Levi (that any such fulcrum is in the contacts themselves) is totally speculative and not taught by Levi, explicitly or inherently. In fact, the Levi contact structure is such as to exhibit sliding contact friction during opening accompanied by (not solving) the problem addressed by applicant's invention.

It is to be noted Levi's whole discussion centers on operation of the switch during closing. Nothing

recognizing the opening force problem addressed by applicant (see, for example, page 2, line 31, to page 3, line 6) is presented.

It may also be noted that the elements of applicant's fulcrum mechanism preferably do not conduct when the switch is closed and even can be chosen to be insulative (page 11, lines 19-22) and need not have a role in the closing of the switch (page 4, lines 27-28). These are not limitations in claim 20 but are mentioned so there is no mistaking the totally different nature and purpose of the contacts of the reference with those of applicant's fulcrum mechanism. Therefore, neither anticipation nor obviousness can be based on this art.

Dependent claims 16-19 and 21 should be allowed along with claim 20 and contribute more to the patentable distinctions of the combinations claimed as a whole. For example, nothing in the contacts of Levi is a pair of bars that form a pivot axis as described in claim 16. New claim 21 spells out the pivot axis of the fulcrum mechanism is substantially fixed in location (see page 8, lines 27-30, for example). Nothing in Levi is like or suggestive to such an arrangement.

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The above discussion has summarized and paraphrased some of the claim language for expediency with no intent to alter the actual scope of the claims.

The other cited prior art has been considered and found not to affect the patentability of the claims. That includes the art cited on page 5 of the action, as corrected by the Examiner by phone (patent "4,244,825" is meant to be 3,244,825).

Allowance of the application as now presented is  
requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Gordon H. Telfer".

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